

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAYNE T. SWINEY,

Plaintiff,

Case no. 09-13055

Honorable John Corbett O'Meara

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant,

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, pursuant to 72(b) of the Federal Rules of Civil Procedure, 28 U. S. C. 636(b)(1)(B), and LR 72.1(b)(3), has reviewed Magistrate Judge Virginia M. Morgan's July 28, 2010, Report and Recommendation, as well as any objections filed by the parties, and upon review;

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED as the findings and conclusions of this Court.

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is GRANTED.

s/John Corbett O'Meara

United States District Judge

Date: August 25, 2010

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 25, 2010, using the ECF system and/or ordinary mail.

s/William Barkholz

Case Manager